

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILE
MAR 07 2006
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CLERK

UNITED STATES OF AMERICA, *
 *
Plaintiff, *
 *
vs. *
 *
 *
MARIA NUNEZ, *
a/k/a Maria Pino, *
 *
Defendant. *

CR. 06-40003-02
ORDER

At the March 7, 2006, hearing in this matter there was information presented that indicated Defendant may not be a citizen of the United States or lawfully admitted for permanent residence. A hearing was held as required under the Bail Reform Act. Specifically, 18 U.S.C. § 3142(d) provides for the temporary detention, not to exceed ten days, to allow for further investigation into Defendant's immigration status. Accordingly, it is hereby

ORDERED that:

1. Defendant Maria Nunez is currently considered a risk of flight and is remanded to the custody of the U.S. Marshal's Service for a period not to exceed ten (10) days, excluding Saturdays, Sundays, and holidays (said time calculated to be through and including March 20, 2006.)
2. The attorney for the government shall notify the appropriate court, probation or parole official, or state or local law enforcement official, or the appropriate official of the Immigration and Naturalization Service so that the custody of the defendant can be transferred and a detainer placed in connection with this case.
3. To overcome an order of detention pending trial based on risk of flight, Defendant has the burden of proving to the court on or before March 20, 2006 that she is a United States citizen or is lawfully admitted for permanent residence.

Dated this 7th day of March, 2006.

BY THE COURT:

[Signature]
John E. Simko
United States Magistrate Judge

ATTEST:
JOSEPH HAAS, Clerk

By *[Signature]* Deputy
(SEAL)